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3 UNITED STATES DISTRICT COURT

4 DISTRICT OF NEVADA

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6 JANET BROWN, et al.,

7 Plaintiffs,

8 v.

9 UNITED STATES OF AMERICA,

10 Defendant.

Case No. 3:19-cv-00207-MMD-CSD

Member Cases:

3:19-cv-00383-MMD-WGC

3:19-cv-00424-MMD-WGC

3:19-cv-00418-MMD-WGC

11 ORDER

12 AND CONSOLIDATED ACTIONS AND  
THIRD PARTY ACTION

13 This consolidated case arises from a fatal plane crash at the Reno-Tahoe  
14 International Airport (“RNO”). Plaintiffs<sup>1</sup> sued the United States of America under the  
15 Federal Tort Claims Act (“FTCA”), 28 U.S.C. §§ 1346(b)(1) and 2671-2680, alleging that  
16 the negligence of Federal Aviation Administration (“FAA”) air traffic controllers at RNO was  
17 the sole cause of the crash. The Court found that the government prevailed in an order  
18 issued following a bench trial. (ECF No. 177 (“Bench Order”).) However, the United States  
19 Court of Appeals for the Ninth Circuit reversed the Court’s no-breach finding in the Bench  
20 Order and remanded for the Court to reconduct its causation analysis. (ECF No. 215  
21 (“Memo Dispo”) at 2.) And now that the Ninth Circuit has issued its mandate (ECF No.  
22 216), jurisdiction has returned to the Court to do that.

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25 <sup>1</sup>Plaintiffs are the Brown Parties, consisting of Janet Brown, Laura Melendez, John  
26 Bradley Brown, the estate of John Brown aka Johnny Brown, and Flying Start Aero, LLC  
27 (ECF No. 170 at 1-2), and the Elliker Parties, consisting of Jocelyn Elliker, Carrie Romo,  
as the parent and guardian ad litem for B.E., Megan Romo Elliker, individually and as the  
Executor of the Estate of James Elliker, Dustin Elliker, and Katelynn Hansen (ECF No.  
171 at 1). The Court refers to the two sets of Plaintiffs as the Brown Parties and the Elliker  
Parties herein.

1 It is therefore ordered that the parties must meet and confer, and then file a joint  
2 status report within 14 days proposing a series of steps to bring this case to final resolution  
3 consistent with the Ninth Circuit's Memo Dispo.

4 The Court further notes for the parties' reference that the Clerk of Court has  
5 reopened this case following receipt of the Mandate.

6 DATED THIS 13<sup>th</sup> Day of August 2024.

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8 MIRANDA M. DU  
9 CHIEF UNITED STATES DISTRICT JUDGE  
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